

AMENDED IN SENATE SEPTEMBER 6, 2007

AMENDED IN ASSEMBLY MAY 22, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1117

Introduced by Assembly Member Benoit

February 23, 2007

~~An act to add Section 5273.6 to the Business and Professions Code, relating to outdoor advertising. An act to amend Section 25210.4g of the Government Code, relating to local government, and declaring the urgency thereof.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1117, as amended, Benoit. ~~Outdoor advertising. Local government: county services areas.~~

Existing law authorizes a county services area within San Bernardino County to provide open-space and habitat conservation services, as specified.

This bill would extend this authorization to Riverside County.

This bill would declare that it is to take effect immediately as an urgency statute.

~~The Outdoor Advertising Act provides for the regulation by the Department of Transportation of the placement of off-premise advertising displays along state highways.~~

~~This bill would deem an advertising display in Riverside County erected by a city or the county to advertise businesses operating within a redevelopment agency project area, or within a business improvement district whose boundaries partly or wholly overlap those of the redevelopment agency project area, to be on the premises at any location~~

within 1,000 feet of the legal boundaries of the redevelopment agency's project area if the display meets certain conditions.

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: ~~yes~~
no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 25210.4g of the Government Code is*
2 *amended to read:*

3 25210.4g. (a) In *Riverside County and San Bernardino County*,
4 a county service area, in addition to all other types of service that
5 it is empowered to provide, may provide open-space and habitat
6 conservation services, including the acquisition and preservation
7 of land for the purposes of protecting unique, sensitive, threatened,
8 or endangered species, or historical or culturally significant lands
9 that are deemed to be in need of protection by the county board of
10 supervisors. These services and facilities shall be deemed
11 “miscellaneous extended services.”

12 (b) For purposes of this section, the service charge authority in
13 Section 25210.77a does not apply.

14 (c) For any county service area or zone thereof formed pursuant
15 to this section, any setback or buffer requirements to protect the
16 open-space or habitat areas shall be owned and maintained by the
17 county service area so as not to infringe on the customary
18 husbandry practices on any neighboring agricultural or timber
19 operations.

20 *SEC. 2. The Legislature finds and declares that there are*
21 *unique circumstances concerning the need for a county services*
22 *area for habitat conservation in Riverside County necessitating*
23 *the enactment of the provisions of this act. It is therefore declared*
24 *that a general law cannot be made applicable within the meaning*
25 *of Section 16 of Article IV of the Constitution, and that the*
26 *enactment of this act as a special law is necessary.*

27 *SEC. 3. This act is an urgency statute necessary for the*
28 *immediate preservation of the public peace, health, or safety within*
29 *the meaning of Article IV of the Constitution and shall go into*
30 *immediate effect. The facts constituting the necessity are:*

31 *In order to provide for a county services area for habitat*
32 *conservation at the earliest possible time, it is necessary that this*
33 *act take effect immediately.*

1 ~~SECTION 1. Section 5273.6 is added to the Business and~~
2 ~~Professions Code, to read:~~

3 ~~5273.6. (a) For purposes of this chapter, an advertising display~~
4 ~~erected by a city or county to advertise businesses operating within~~
5 ~~a redevelopment agency project area, or within a business~~
6 ~~improvement district, as defined for purposes of the Property and~~
7 ~~Business Improvement District Law of 1994 (Part 7 (commencing~~
8 ~~with Section 36600) of Division 18 of the Streets and Highways~~
9 ~~Code), whose boundaries partly or wholly overlap those of the~~
10 ~~redevelopment agency project area, may be considered to be on~~
11 ~~the premises at any location within 1,000 feet of the legal~~
12 ~~boundaries of the redevelopment agency's project area if all of the~~
13 ~~following conditions apply:~~

14 ~~(1) No other display is erected pursuant to this section.~~

15 ~~(2) No other display is erected within any redevelopment project~~
16 ~~area the boundaries of which are within 1,000 feet of the display,~~
17 ~~pursuant to Section 5273.~~

18 ~~(3) The display complies with all requirements of Section 5408.~~

19 ~~(4) Placement of the display will not necessitate the immediate~~
20 ~~trimming, pruning, topping, or removal of existing trees in order~~
21 ~~to make the display visible or to improve visibility unless done as~~
22 ~~part of the normal landscape maintenance activities that would~~
23 ~~have been undertaken without regard to the placement of the~~
24 ~~display.~~

25 ~~(5) The display would not cause a reduction in federal-aid~~
26 ~~highway funds as provided in Section 131 of Title 23 of the United~~
27 ~~States Code.~~

28 ~~(6) The display is in Riverside County.~~

29 ~~(b) If the advertising display erected pursuant to this section is~~
30 ~~removed for purposes of a transportation project undertaken by~~
31 ~~the department, the display owner shall not be entitled to monetary~~
32 ~~compensation for its removal.~~

33 ~~(c) Any display erected pursuant to this section may remain in~~
34 ~~place only until completion of the redevelopment project, after~~
35 ~~which Section 5440 shall apply.~~

36 ~~(d) The display permit shall expire after five years unless the~~
37 ~~business improvement district permit has been renewed for an~~
38 ~~additional 10 years and the local government requests an extension~~

1 of the state permit. Otherwise, the display shall comply with
2 Sections 5272 and 5405.

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